



## **CITIZENS' COMMISSION ON JAIL VIOLENCE**

### **Status Report** **\*\*Draft\*\*** **May, 2012**

#### **A. Background**

The Citizens' Commission on Jail Violence ("the CCJV" or "the Commission") was created by the Board of Supervisors on October 18, 2011. The motion creating the CCJV noted recent increased scrutiny and rising concerns by media, advocacy organizations, law enforcement and others, in regard to allegations of excessive use of force in L.A. County jails. In the face of these claims and "alleged breakdowns in the supervisory and disciplinary process through which Sheriff's officials ensure the constitutional and ethical conduct of their work force," the Board of Supervisors created the Citizens' Commission to "initiate and carry out a community-level review of alleged inappropriate use of force by deputies assigned to the jails."

The mandate of the CCJV, as defined by the Board, is to "conduct a review of the nature, depth and cause of the problem of inappropriate deputy use of force in the jails, and to recommend corrective action as necessary." The Board also acknowledged the need to address growing concerns within our community. As such, "it shall be the task of the Commission to restore public confidence in the constitutional operation of our jails by conducting a discussion on the nature and cause of the problem, and by recommending potential solutions."

#### **B. CCJV Meetings and Timeline**

Since its inception, and over a period of six months, the CCJV has met nine times. The Commission's first meeting was held on November 18, 2011. At the start of that meeting, Supervisor Michael D. Antonovich stressed the Board's "full support and commitment" to assisting the CCJV in completing its task and emphasized that the six month timeframe set forth in the Board's motion was simply a "target" for completion of the Commission's work. The CCJV is well aware of the importance of helping to identify and precipitate meaningful changes at the earliest possible opportunity. We are also cognizant of the importance of ensuring that our process is thoughtful, deliberate and thorough, and that our final report and recommendations are based on a careful, balanced and complete consideration of documents, reports and witness accounts.

During CCJV meetings held in November and December of 2011, the five Commissioners appointed by the Board of Supervisors selected two additional Commission members (as directed by the Board of Supervisors and from names provided to it by that body), elected Hon. Lourdes Baird to serve as the Commission Chair and Reverend Cecil Murray to serve as the Vice Chair,

and decided on a structure for the conduct of its work. Thereafter, the CCJV selected Richard E. Drooyan to serve as the Commission's General Counsel and hired Miriam Aroni Krinsky to serve as the Commission's Executive Director.

At its meetings in January and February, 2012, the CCJV discussed and approved a timeline with timeframes it noted might shift over time as the Commission's work progresses. That timeline aimed for completion of the Commission's work and release of a public report and recommendations by September. Based upon the volume and extent of the Commission's work, it is possible that the Commission will not complete its work until October, 2012.

Starting in March, the CCJV initiated a series of public hearings with testimony from individuals knowledgeable about the issues and concerns under the Commission's purview. To date, over a dozen witnesses have testified at the last three CCJV meetings. Those witnesses include the head of the Office of Independent Review, the Special Counsel monitoring the L.A. Sheriff's Department for the Board of Supervisors, current and past jail monitors, representatives from the ACLU, jail Chaplains, and Los Angeles Sheriff's Department personnel.

### C. CCJV Organization, Staff and Structure

After the General Counsel and Executive Director were selected, the CCJV began to formalize the structure and focus of its investigatory work and staff. In the first quarter of 2012, with the assistance of the Sheriff's Department, L.A. County CEO's office, and County Counsel the CCJV Executive Director and General Counsel secured office space (donated by the law firm of Munger, Tolles and Olson) and necessary equipment, formalized confidentiality and service agreements between the County and CCJV volunteers and staff, and worked out a process for production of LASD records and files. The CCJV Executive Director and General Counsel also met with the Sheriff and his Commander Management Task Force, each of the Board of Supervisor's offices, the Office of Independent Review, Special Counsel Merrick Bobb, representatives of the ACLU, and representatives of ALADS.

The CCJV General Counsel identified a number of lawyers and law firms willing, on a pro bono basis, to assist in the CCJV's investigatory work. The CCJV now has over fifty attorneys from ten different law firms investigating a wide array of issues and devoting thousands of hours of pro bono services. (A list of CCJV staff is attached.) The CCJV counsel are organized into five investigatory teams, each headed up by a group of Deputy General Counsel. These teams are examining LASD and L.A. County jail personnel, culture, discipline systems, investigatory processes, management and oversight.

The Executive Director's office is supporting the administrative and organizational work of the CCJV, managing document production, summarizing reports, and helping to coordinate witness interviews. The Executive Director is also working closely with the General Counsel to help guide and support the work of the investigatory teams. Finally the Executive Director's office is conducting research into national jail and corrections best practices and accountability measures, and overseeing the planning of the CCJV community forum event (discussed below).

#### D. CCJV Investigatory Process

Over the past few months, the CCJV has moved into an active and fully engaged investigatory phase.

The CCJV investigatory teams, along with the General Counsel and Executive Director, have identified over 150 potential witnesses. As of mid-May, 2012, CCJV counsel and staff have interviewed over 50 witnesses. On a parallel track, the CCJV Executive Director and her staff have identified over 40 jail, corrections, use of force and accountability experts from around the country; over one-third of these individuals have been interviewed to date.

The CCJV has also been reviewing and analyzing a large number of reports, documents, and other pertinent materials. Over the past four months, CCJV staff and counsel have received and reviewed nearly 500 documents, including reports from the Office of Independent Review, Special Counsel's Office and the ACLU; depositions, affidavits and filings in related lawsuits; expert reports; corrections information and research; and other materials. The CCJV has also received and reviewed documents from LASD and past or present LASD personnel, including policies, manuals, memoranda, emails and reports.

Over 60 members of the CCJV team have now attended tours to view the physical conditions and layout of the following L.A. County jail facilities: Men's Central Jail, Twin Towers, Inmate Reception Center, Clara Shortridge Foltz Criminal Justice Center lock-up facility, Central Regional Detention Facility, North County Correctional Facility, and Pitchess Detention Center (both East and South).

The CCJV Executive Director is working with volunteer lawyers as well as staff to research best practices and conduct telephonic interviews with corrections, jail, use of force and accountability experts from around the nation. In early April, the CCJV Executive Director and a member of her staff toured the Rikers Island jail facilities in New York City, and interviewed over a dozen individuals including the current and two former Department of Correction Commissioners, the DOC leadership and Inspector General, the NYC Deputy Mayor for Criminal Justice and the leaders of the NYC Board of Corrections. In early May, the CCJV Director and a member of her staff toured the Cook County Jail in Chicago and met with leadership from the Cook County Department of Corrections (CCDOC).

#### E. Transparency, Accessibility and Community Outreach

The CCJV has endeavored to ensure that its work is open, accessible and transparent. To that end, the Commission created and launched a website in mid-February that enables the public to listen to audios of past Commission meetings, learn about the Commission members and staff, understand the focus and timeframe of the Commission's work, "subscribe" to updates on Commission events and ongoing work, and transmit to the Commission any jail violence-related concerns. Since its launch approximately three months ago, the CCJV website (accessible at <http://ccjv.lacounty.gov>) has received nearly 9,000 visits, with an average of over 600 visits per week.

The Commission also recognizes that any consideration of the state of the County's jails might be incomplete without listening to the concerns and perspectives of the public at large. To enhance the Commission's ability to hear from the communities most impacted -- directly and indirectly -- by jail conditions, the CCJV has scheduled a community forum event to be held at the downtown EXPO Center the evening of May 30<sup>th</sup>, 2012. (More information on that event is available on the CCJV website.) The CCJV has identified and hired two individuals who will assist with community and media outreach both in connection with the May 30<sup>th</sup> event and when the Commission's final report issues.

F. Next Steps

In the coming months, the CCJV will continue and complete its investigatory process. As that work culminates, it is anticipated that future Commission hearings will include testimony from LASD leadership and expert witnesses, as well as investigative summaries presented by the CCJV Deputy General Counsel. Thereafter, the CCJV will turn to the drafting and finalizing of a final report.